

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE FORTUNE SOCIETY, INC., on behalf of  
itself and its participants, and MICHAEL  
CLARK, on behalf of himself and all others  
similarly situated,

Plaintiffs,

v.

MACY'S, INC., MACY'S RETAIL HOLDINGS,  
INC. d/b/a MACY'S, and MACY'S  
CORPORATE SERVICES, INC.,

Defendants.

Case No. 19-cv-05961-RA

CLASS ACTION

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL  
OF CLASS ACTION SETTLEMENT, CONDITIONAL CERTIFICATION OF  
SETTLEMENT CLASS, APPOINTMENT OF CLASS COUNSEL, AND  
APPROVAL OF PLAINTIFFS' PROPOSED NOTICE OF SETTLEMENT**

For the reasons set forth in the Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, Conditional Certification of Settlement Class, Appointment of Class Counsel, and Approval of Plaintiffs' Proposed Notice of Settlement and in the Declaration of Ossai Miazad in Support of Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement, Conditional Certification of Settlement Class, Appointment of Class Counsel, and Approval of Plaintiffs' Proposed Notice of Settlement ("Miazad Decl."), and the supporting exhibits thereto, Plaintiffs respectfully request that the Court enter an Order:

- (1) granting preliminary approval of the Settlement Agreement, attached as **Exhibit A** to the Miazad Decl.;
- (2) conditionally certifying the proposed Settlement Class pursuant to Fed. R. Civ. P.

- 23(a) and 23(b)(3);
- (3) appointing Plaintiffs' Counsel as Class Counsel; and
- (4) approving the proposed Notice of Class Action Settlement and Claim Form, attached as **Exhibit B** to the Miazad Decl.

\* \* \*

Plaintiffs also submit a Proposed Order, attached to the Miazad Decl. as **Exhibit C**, for the Court's convenience.

Dated: September 3, 2020  
New York, New York

Respectfully submitted,

/s/ Ossai Miazad  
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